

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)
)
 Plaintiff,) No. 3:05-CR-146
V.) (PHILLIPS/SHIRLEY)
)
)
ROBERT ANTOINE TRUSS,)
)
)
 Defendant.)

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court as may be appropriate.

This Court earlier entered an Order [Doc. 90] instructing the Clerk to issue a Writ of Habeas Corpus Ad Testificandum to the Sheriff of Blount County to bring Jasmine Crowley before the Court on March 29, 2006, at 1:30 p.m.

After issuance of the Order, it came to the Court's attention that the defendant Jasmine Crowley, is in the custody of the United States Marshal Service and not the Sheriff of Blount County and the writ would be ineffective as ordered.

The United States Marshal Service has agreed to have her present at the hearing on March 29, 2006 at 1:30 p.m. Accordingly, the Order [Doc. 90] is hereby **RESCINDED and OVERRULED** and of no effect. The writ shall not be issued.

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge